

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

JING GAO, ALVIN RABSATT,
BARRY NIXON, PATRICIA NIXON,
KATHERINE PIERCE, ARTHUR
PIERCE, MADISON LOWE, and
IOLANDA LOWE, on behalf of
themselves and all others similarly
situated.

CIVIL ACTION NO. 3:16-cv-00323

VS.

BLUE RIDGE LANDFILL TX, LP

**PLAINTIFFS' UNOPPOSED MOTION TO MODIFY DATE BY WHICH PARTIES' TO
DEPOSE IN SECOND MANAGEMENT ORDER**

Plaintiffs Jing Gao, Alvin Rabsatt, Barry Nixon, Patricia Nixon, Katherine Pierce, Madison Lowe, and Iolanda Lowe (“Plaintiffs”) hereby request that the Court modify the date by which the depositions of Defendant’s technicians are to be completed as designated in the Management Order ([Dkt. No. 46]) and in support thereof, would respectfully show as follows:

1. The Second Management Order set a deadline of June 27, 2018 for the completion of certain depositions, including those of Defendant's technicians.
 2. Pursuant to the requests of TCEQ, the deadlines for deposing the TCEQ's representative and staff members have been re-set to August 31, 2018.
 3. Defendant timely produced its technicians' reports on June 18, 2018, and the Parties have endeavored to schedule the depositions in the time allotted by the Management Order. However, due to conflicting schedules of counsel and the witnesses, Plaintiffs anticipate they will be unable to complete the depositions of Blue Ridge technicians within the time

anticipated by the Management Order

4. Plaintiffs request that the Court modify the date by which Plaintiffs are to take depositions of Defendant's technicians from June 27, 2018 to August 31, 2018. Plaintiffs submit that this modification will not cause any delay in the case given that the deadline has already been extended pursuant to TCEQ's requests.

Dated: June 20, 2018

Respectfully submitted,

GILMAN * ALLISON LLP

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing is being served on all counsel of record on this 20th day of June, 2018, by electronic service through email service.

/s/ Brenton J. Allison
Brenton J. Allison